

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SONICSOLUTIONS ALGAE CONTROL, LLC,)	C.A. No. 3:21-cv-30068-MGM
SONIC SOLUTIONS, LLC, and)	
ALGAECONTROL.US LLC,)	
)	
Plaintiffs,)	<u>UNOPPOSED MOTION FOR</u>
v.)	LEAVE TO FILE REPLY IN
)	SUPPORT OF PLAINTIFFS’
)	MOTION TO AMEND
DIVERSIFIED POWER INTERNATIONAL, LLC,)	COMPLAINT
and ANTONIO TRIGIANI,)	
)	
Defendants.)	

Plaintiffs Sonic Solutions Algae Control, LLC, Sonic Solutions, LLC and AlgaeControl.US LLC(together, “Plaintiffs”) move for leave to file a reply in support of its Motion to Amend Complaint.

In the Response in Opposition to Motion to Amend filed by Defendants Diversified Power International, LLC and Antonio Trigiani, Dkt. 87, Defendants present an unexpected request for judicial notice, as well as various allegations and arguments about purported pleading inadequacies of Plaintiffs’ proposed Amended Complaint, none of which Plaintiffs could reasonably have anticipated when filing their initial Motion to Amend Complaint. Plaintiffs thus hereby move for leave to file a reply memorandum, not to exceed six pages, to briefly address the following issues explicitly or implicitly raised by Defendant: (1) the proper scope of judicial notice under FRE 201(b)(2); (2) the adequacy of allegations within the Complaint of harm cognizable under S.C. Code 39-5-10(b); (3) the adequacy of allegations of Defendants’ actions having an impact upon the public interest; (4) the adequacy of allegations of continuing tortious interference; (5) the relevance of registered company status to Plaintiffs’ allegations that HBS,

LLC is successor in liability associated with the HBS Division of DPI; and (6) the sufficiency of Plaintiffs' allegations of fraud upon the U.S. Patent and Trademark Office.

While not conceding Plaintiffs' arguments, Defendants do not oppose Plaintiffs' request to file a Reply memorandum.

Respectfully submitted,

**PLAINTIFFS,
SONICSOLUTIONS ALGAE CONTROL, LLC.,
SONIC SOLUTIONS, LLC, and
ALGAECONTROL.US LLC**

By Their Attorneys,

/s/ James C. Duda

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Dated: February 15, 2022

RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), Plaintiffs' counsel, hereby certify that we have conferred with Defendants' counsel concerning Plaintiff's Motion for Leave to File Reply in Support of Plaintiffs' Motion to Amended Complaint, and Defendants' counsel have indicated they do not intend to oppose this motion.

/s/ James C. Duda

James C. Duda

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system on February 15, 2022, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants on the date of its filing.

/s/ Lauren C. Ostberg

Lauren C. Ostberg